

REMARKS

A telephone discussion between Examiner Wendmagegn and Dennis Smid (one of the applicants' undersigned attorneys) was held on July 16, 2009. The applicants and Mr. Smid wish to thank the Examiner for his time and consideration for such discussion.

Claims 2-5, 11, 14, and 18 have been canceled. Claims 7, 9, and 19, amended claims 1, 6, 8, 10, 12, 13, and 15-17, and new claims 20 and 21 are in this application.

Claims 6-8 and 10 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Each of claims 6 and 10 has been respectively rewritten herein in independent form so as to include all of the limitations of the base claim and any intervening claims. Claim 7 depends from amended independent claim 6.

Additionally, and as discussed during the July 16 discussion, claim 8 has been rewritten herein in independent form so as to include all of the limitations of the base claim and only intervening claims 3 and 4. That is, and as discussed during the July 16 discussion, in rewriting claim 8 the features of dependent claim 6 were not included.

It is respectfully submitted that claims 6-8 and 10 as presented herein are allowable.

Claims 1-4, 11-12, 14-15, and 17-18 were rejected under 35 U.S.C. 102(e) as being anticipated by Iwahara et al. (Publication No. U.S. 2003/0123853).

As discussed during the July 16 discussion, independent claim 1 has been amended herein. The features herein added to claim 1 include features somewhat similar to several of those in original dependent claims 3 and 8. (Kindly recall that claim 8 had been indicated to be allowable.) As a result, amended independent claim 1 now recites in part the following:

"representative picture selection means for selecting a representative picture for each of the respective chapters based on the chapter information; and

...
said representative picture selection means being operable to determine whether specified effect capturing is to be performed, and when such determination indicates that the specified effect capturing is to be performed, the representative picture selection means selects the respective picture from picture data of a group of pictures located after a first group of pictures of the respective chapter." (Emphasis added.)

It is respectfully submitted that amended independent claim 1 should be allowable.

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 12, 15 and 17 should be allowable.

As previously indicated, claims 2-4, 11, 14 and 18 have been canceled herein.

Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Iwahara et al. Publication No. U.S.

2003/0123853) as applied to claim 1-4, 11-12, 14-15, 17-18 above, and further in view of Patent No. U.S. 6,580,872 (Kikuchi et al.).

As previously indicated, claim 5 has been canceled herein.

Claims 9, 13, 16, 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Iwahara et al. (Publication No. U.S. 2003/0123853) as applied to claim 1-4, 11-12, 14-15, 17-18 above, and further in view of U.S. Patent No. 6,434,103 (Shitatra et al.).

Claims 9 and 19 respectfully depend from amended independent claims 1 and 17. It is respectfully submitted that claims 9 and 19 should be allowable for at least the reasons discussed above.

Each of independent claims 13 and 16 has been amended herein so as to include features similar to or somewhat similar to those features of dependent claim 10, which was indicated to be allowable. As a result and as an example, amended independent claim 13 now recites in part the following:

"wherein, when the apparatus type for a title is a camcorder, the chapter information for all chapters contained in the title are read and, when the apparatus type for the title is not a camcorder, the chapter information only for a beginning chapter in the title is read."

It is respectfully submitted that amended independent claims 13 and 16 should be allowable.

New dependent claims 20 and 21 have been added herein. It is believed that the present application provides support for the features of claims 20 and 21. In this regard and as an

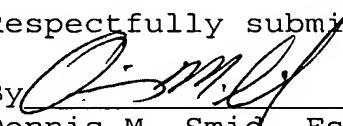
example, reference is made to Fig. 17 and the description thereof in the present application.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are additional any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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